



## **Economic Impact Analysis Virginia Department of Planning and Budget**

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### **18 VAC 76-40 – Regulations Governing Emergency Contact Information Department of Health Professions December 21, 2004**

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The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with Section 2.2-4007.G of the Administrative Process Act and Executive Order Number 21 (02). Section 2.2-4007.G requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. The analysis presented below represents DPB's best estimate of these economic impacts.

### **Summary of the Proposed Regulation**

Chapter 602 of the 2003 Acts of the Assembly required the Department of Health Professions (department), in consultation with the Department of Health and the Department of Emergency Management, to adopt regulations for the collection of emergency contact information to be used to notify health professionals in the event of a public health emergency. These regulations identify those licensed, certified or registered persons to which the requirement to report shall apply, the information to be reported and the procedures and time limits for reporting. Athletic trainers are not currently identified as required to report. The department proposes to add athletic trainers to the list of individuals who must report.

### **Estimated Economic Impact**

In 2003, the Department of Health and the Department of Emergency Management provided the categories of professionals and entities from which contact information is needed in case of a public health emergency. The list included: 1) certified massage therapists, 2) clinical

psychologists, 3) clinical social workers, 4) dentists, 5) funeral service licensees, embalmers and funeral directors, 6) licensed acupuncturists, 7) licensed practical nurses, 8) licensed professional counselors, 9) medical equipment suppliers, 10) pharmacists, 11) pharmacy technicians, 12) physical therapists, 13) physician assistants, 14) radiologic technologists, 15) registered nurses, 16) respiratory care practitioners, 17) surface transportation and removal service registrants, 18) veterinarians, and 19) wholesaler distributors of pharmaceuticals. Doctors of medicine, osteopathy, and podiatry were not on the list since they already provided such information through a previous legislative mandate. The department now proposes to add athletic trainers to the list.

The regulations specify that “Upon a request from the [department], a person or entity [listed above] shall be required to report the following information for contact in the event of a public health emergency:

1. A telephone number at which he may be contacted during weekday business hours (8:00 am – 5:00 pm);
2. A telephone number at which he may be contacted during non-business hours (5:00 pm – 8:00 am weekdays and on weekends or holidays);
3. A fax number at which he may be sent information concerning the emergency;  
and
4. An email address at which he may be sent information concerning the emergency.”

On the other hand, the department states in the Proposed Regulation Agency Background Document that it "does not anticipate initiating an enforcement proceeding against practitioners who fail to respond at this time. In addition, no one will be denied licensure renewal for failure to comply."<sup>1</sup>

Also, the department states in the Proposed Regulation Agency Background Document that “The practitioner will also be asked whether he would be willing to volunteer for medical response during a bioterrorism event or any other public health emergency...” Combining the

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<sup>1</sup> The Department of Health Professions also confirmed via phone conversation that the requirement to provide emergency contact information will not be enforced.

collection of emergency contact information with information on whether the practitioner is willing to volunteer for medical response during public health emergencies will be beneficial. Athletic trainers are experienced in emergency response to injury and the prevention of injury. In a time of emergency when resources are strained, athletic trainers on the scene can potentially help with preliminary treatment of injuries. Athletic trainers who are interested and able to respond on short notice to emergency situations will be more easily identified and contacted quickly. This will likely provide faster medical response.

According to the department, implementing the proposed amendment would create a one-time expense of approximately \$2,000 for mailing instructions and revising the department's data system to include a new profession. There would be very modest on-going department expenditures, as emergency contact information is updated in conjunction with renewal of licensure.

Whether or not a net benefit is created for the Commonwealth depends on how much faster athletic trainers responses will be, and how much those faster responses are valued. The net value of the proposed amendment will be greater if athletic trainers are made aware that providing emergency contact information is in practice voluntary. Forcing athletic trainers who do not intend to volunteer to provide emergency contact information is a waste of time and resources for the practitioners and the Commonwealth. Additionally, the time elapsed before athletic trainers that wish to respond to the emergency are notified may be greater when those that do not wish to respond are notified first.

## **Businesses and Entities Affected**

The proposed amendment affects the 672 licensed athletic trainers whose address of record is in the Commonwealth, as well as the 21 athletic trainers with Virginia licensure whose address of record is in a contiguous state or the District of Columbia.<sup>2</sup>

## **Localities Particularly Affected**

The proposed amendment affects all Virginia localities.

## **Projected Impact on Employment**

The proposed amendment will not affect employment levels.

## **Effects on the Use and Value of Private Property**

The proposed amendment will not affect the use and value of private property.

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<sup>2</sup> Source: Department of Health Professions